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EXAMINER
DEBROW, JAMES J

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 10/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/623,471	PLASTINA ET AL.
	Examiner	Art Unit	
	James J. Debrow	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 August 2006*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-50* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-50* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date *8/3/2006*.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: Request For Continued

Examination filed 03 Aug. 2006.

2.   Claims 1-50 are pending in the case. Claims 1, 13, 26, 33, and 43, are

independent claims.

Continued Examination Under 37 CFR 1.114

3.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03 Aug.

2006 has been entered.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   **Claims 1-19, 23-29, 33, 34, and 36- 50 are rejected under 35 U.S.C. 103(a) as**

being unpatentable over Berkun et al. (hereinafter "Berkun"), US 2002/0103920 A1

filed 6/8/2001 in view of Barker et al (Pub. No.: US 2002/0143976 A1; Filed: Mar. 7,

2002) (hereinafter "Barker").

Regarding independent claim 1 and dependent claim 12, Berkun discloses

rendering media content in the media player [0023], [0030]-[0033]. Berkun discloses

receiving a trustworthiness rating corresponding to the return metadata in fig. 7, 11,

paragraphs [0046]-[0048], and [0074]-[0077]. The similarity score shown in fig. 7 and

described in paragraphs [0046]-[0048] is a trustworthiness rating. Berkun discloses

computer readable-media having computer-readable instructions in paragraphs [0023]-

[0028].

Berkun does not expressly disclose *generating an automatic request for*

metadata from a metadata provider in response to the media content being rendered in

the media player, said requested metadata to be associated with the rendered media

content;

receiving return metadata from the metadata provider in response to the

automatically generated request for metadata.

However, Barker teaches *generating an automatic request for metadata from a*

metadata provider in response to the media content being rendered in the media player,

said requested metadata to be associated with the rendered media content (0010-0012;

Barker teaches automatically requesting updated metadata from an asset provider.).

receiving return metadata from the metadata provider in response to the

automatically generated request for metadata (0010-0012; Barker teaches the asset

provider can send updated metadata to the one or more distribution end-points making

the request.).

Therefore at the time of the invention it would have been obvious to a person of

ordinary skill in the art to combine Berkun with Barker for the benefit of implementing

updated metadata efficiently at specific endpoints, as specified by the content provider

(0007).

Regarding dependent claim 2, Berkun discloses replacing an existing metadata

state with the received return metadata based on the received trustworthiness rating in

fig. 3, 10, and paragraphs [0070]-[0072].

Regarding dependent claim 3, Berkun discloses wherein the return metadata

comprises metadata determined by the metadata provider to be associated with the

media content in fig. 3, 7, 10, paragraphs [0046]-[0048] and [0070]-[0072].

Regarding dependent claim 4, Berkun discloses wherein the received

trustworthiness rating in fig. 7 and paragraphs [0046]-[0048].

Regarding dependent claim 5, Berkun discloses wherein the trustworthiness

rating is a percentage in fig. 7 and paragraphs [0046]-[0048].

Regarding dependent claim 6, Berkun teaches in using a trustworthiness rating

to determine the relevance of metadata in fig. 3, 7, 10, 11, paragraphs [0046]-[0048]

and [0070]-[0072]. In Berkun, a threshold is used to determine the appropriate action

depending on the trustworthiness of the metadata.

Berkun does not specifically teach prompting a user to review the return

metadata based on the received trustworthiness rating.

However, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to have modified Berkun to have created the claimed invention.

It would have been obvious and desirable to have modified Berkun to have prompted a

user to review the return metadata based on the received trustworthiness rating in view

of the way search engines at the time of the invention provide content to users.

At the time of the invention, a search engine provides a rank ordered list of hits

and prompts the user to review the list and make the final selection of content. In

similar fashion, instead of automatically deciding to include or exclude metadata based

on a threshold, Berkun would have been modified to have prompted users to have

reviewed metadata near the threshold so that the final decision on the inclusion or

exclusion of the metadata enhancement would have been provided by the user.

Regarding dependent claim 7, Berkun discloses storing the return metadata

with the media content based on the received trustworthiness rating in fig. 3, 7, 10,

paragraphs [0046]-[0048] and [0070]-[0072].

Regarding dependent claim 8, Berkun teaches in using a trustworthiness rating

to determine the relevance of metadata in fig. 3, 7, 10, 11, paragraphs [0046]-[0048]

and [0070]-[0072]. In Berkun, a threshold is used to determine the appropriate action

depending on the trustworthiness of the metadata. Berkun teaches receiving a plurality

of trustworthiness ratings in fig. 7 and paragraphs [0046]-[0048].

Berkun does not specifically teach collectively displaying the received plurality of

trustworthiness ratings to a user.

However, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to have modified Berkun to have created the claimed invention.

It would have been obvious and desirable to have modified Berkun to collectively

displayed the received plurality of trustworthiness ratings to a user in view of the way

search engines at the time of the invention provide content to users.

At the time of the invention, a search engine provides a rank ordered list of hits

and prompts the user to review the list and make the final selection of content. In

similar fashion, instead of automatically deciding to include or exclude metadata based

on a threshold, Berkun would have been modified to have prompted users to have reviewed metadata near the threshold so that the final decision on the inclusion or exclusion of the metadata enhancement would have been provided by the user.

Regarding dependent claim 9, Berkun discloses wherein the received trustworthiness rating indicates that the return metadata matches the requested metadata and storing the return metadata with the media content without intervention from a user in fig. 3, 7, 10, paragraphs [0046]-[0048] and [0070]-[0072].

Regarding dependent claim 10, Berkun teaches in using a trustworthiness rating to determine the relevance of metadata in fig. 3, 7, 10, 11, paragraphs [0046]-[0048] and [0070]-[0072]. In Berkun, a threshold is used to determine the appropriate action depending on the trustworthiness of the metadata. Berkun teaches wherein the received trustworthiness rating indicates that the return metadata may not match the requested metadata in fig. 7 and paragraphs [0046]-[0048].

Berkun does not specifically teach prompting the user to accept or reject the return metadata.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Berkun to have created the claimed invention. It would have been obvious and desirable to have modified Berkun to have prompted the user to accept or reject the return metadata in view of the way search engines at the time of the invention provide content to users.

At the time of the invention, a search engine provides a rank ordered list of hits

and prompts the user to review the list and make the final selection of content. In

similar fashion, instead of automatically deciding to include or exclude metadata based

on a threshold, Berkun would have been modified to have prompted users to have

reviewed metadata near the threshold so that the final decision on the inclusion or

exclusion of the metadata enhancement would have been provided by the user.

Regarding dependent claim 11, Berkun discloses receiving one or more

reconciliation rules from a user, the reconciliation rules specifying an action to perform

in response to the received trustworthiness rating in fig. 3, 7, 10, paragraphs [0046]-

[0048] and [0070]-[0072]. In Berkun, a threshold is defined and the metadata addition is

determined based on the threshold.

Regarding independent claim 13 and dependent claim 25, Berkun discloses

receiving a request from a user to replace one metadata state with another metadata

state in fig. 1, 3, 11, paragraphs [0032], [0033], [0076], and [0077]. Berkun discloses

replacing each set of metadata items associated with the one metadata state with a

corresponding set of metadata items associated with the other metadata state in

response to the received request in fig. 1, 3, 11, paragraphs [0032], [0033], [0076], and

[0077]. Berkun discloses computer readable-media having computer-readable

instructions in paragraphs [0023]-[0028].

Regarding dependent claim 14, Berkun discloses wherein each item of

metadata comprises a value specific to the media content in fig. 7, 11 and paragraphs

[0046]-[0048], [0076], and [0077].

Regarding dependent claim 15, Berkun discloses receiving the items of

metadata associated with the other metadata state from a metadata provider in

response to an update request, the metadata provider providing the items of metadata

associated with the other metadata state that are determined to be relevant to the

media content in fig. 3, 7, 10, paragraphs [0046]-[0048] and [0070]-[0072].

Regarding dependent claim 16, Berkun teaches in using a trustworthiness

rating to determine the relevance of metadata in fig. 3, 7, 10, 11, paragraphs [0046]-

[0048] and [0070]-[0072]. In Berkun, a threshold is used to determine the appropriate

action depending on the trustworthiness of the metadata. Berkun does not specifically

teach displaying the received items of metadata to the user for review.

However, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to have modified Berkun to have created the claimed invention.

It would have been obvious and desirable to have modified Berkun to displayed the

received metadata for review by a user in view of the way search engines at the time of

the invention provide content to users.

At the time of the invention, a search engine provides a rank ordered list of hits

and prompts the user to review the list and make the final selection of content. In

similar fashion, instead of automatically deciding to include or exclude metadata based

on a threshold, Berkun would have been modified to have prompted users to have

reviewed metadata near the threshold so that the final decision on the inclusion or

exclusion of the metadata enhancement would have been provided by the user.

Regarding dependent claim 17, Berkun discloses storing the received items of

metadata in a file storing the media content in fig. 3, 7, 10, paragraphs [0046]-[0048]

and [0070]-[0072].

Regarding dependent claim 18, Berkun discloses receiving a trustworthiness

rating corresponding to the received items of metadata and replacing each set of

metadata items associated with the one metadata state with a corresponding set of

metadata items from the received items of metadata in response to the received

trustworthiness rating in fig. 3, 7, 10, paragraphs [0046]-[0048] and [0070]-[0072].

Regarding dependent claim 19, Berkun discloses wherein the items of

metadata associated with the one metadata state are stored in a file along with the

media content in fig. 3, 7, 10, paragraphs [0046]-[0048] and [0070]-[0072].

Regarding dependent claim 23, Berkun discloses replacing a single item of

metadata in paragraphs [0032], [0033], and [0042].

Regarding dependent claim 24, Berkun discloses wherein the other metadata

state lacks metadata, and wherein replacing each set of metadata items comprises

removing all metadata from the media content in fig. 3 and paragraphs [0032], [0033],

and [0042]

Regarding independent claim 26, Berkun discloses the communications

component further receiving a trustworthiness rating associated with the received

metadata in fig. 7, 11, paragraphs [0046]-[0048], and [0074]-[0077]. The similarity score

shown in fig. 7 and described in paragraphs [0046]-[0048] is a trustworthiness rating.

Berkun discloses an authoring module for selectively applying the received metadata to

the media content based on a trustworthiness rating received via the communications

component in fig. 3, 7, 10, paragraphs [0046]-[0048] and [0070]-[0072].

Berkun does not expressly disclose *a communications component for receiving*

metadata automatically matched to the media content being rendered in response to the

media content being rendered.

However, Barker teaches *a communications component for receiving metadata*

automatically matched to the media content being rendered in response to the media

content being rendered. (0036-0037; 50 & 60 Fig. 1; Barker teaches a receiver at the

endpoint can receive the asset bundle *(media content)* from the asset provider and can

route it to an asset manager.).

Therefore at the time of the invention it would have been obvious to a person of

ordinary skill in the art to combine Berkun with Barker for the benefit of implementing

updated metadata efficiently at specific endpoints, as specified by the content provider (0007).

Regarding dependent claim 27, Berkun discloses wherein the authoring module applies the received metadata by replacing each item of metadata associated with one metadata state with a corresponding item of the received metadata associated with another metadata state in fig. 3, 10, paragraphs [0032], [0033], and [0070]-[0072].

Regarding dependent claim 28, Berkun discloses wherein the communications component further receives a request from a user to store the received metadata with the media content in fig. 1, 3, 11, paragraphs [0032], [0033], [0076], and [0077].

Regarding dependent claim 29, Berkun teaches in using a trustworthiness rating to determine the relevance of metadata in fig. 3, 7, 10, 11, paragraphs [0046]-[0048] and [0070]-[0072]. In Berkun, a threshold is used to determine the appropriate action depending on the trustworthiness of the metadata.

Berkun does not specifically teach displaying, to a user for review based on a received trustworthiness rating, the metadata received via a communications request.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Berkun to have created the claimed invention. It would have been obvious and desirable to have modified Berkun to displayed the

received metadata for review by a user in view of the way search engines at the time of

the invention provide content to users.

At the time of the invention, a search engine provides a rank ordered list of hits

and prompts the user to review the list and make the final selection of content. In

similar fashion, instead of automatically deciding to include or exclude metadata based

on a threshold, Berkun would have been modified to have prompted users to have

reviewed metadata near the threshold so that the final decision on the inclusion or

exclusion of the metadata enhancement would have been provided by the user.

Regarding independent claim 33 and dependent claim 42, Berkun teaches

rendering media content in the media player [0023], [0030]-[0033]. Berkun teaches

performing an action on the metadata in fig. 3, 7, 10, paragraphs [0046]-[0048] and

[0070]-[0072]. Berkun teaches in using a trustworthiness rating to determine the

relevance of metadata in fig. 3, 7, 10, 11, paragraphs [0046]-[0048] and [0070]-[0072].

In Berkun, a threshold is used to determine the appropriate action depending on the

trustworthiness of the metadata. Berkun teaches computer readable-media having

computer-readable instructions in paragraphs [0023]-[0028].

Berkun does not specifically teach displaying the received metadata to the user

on the display or receiving a selection request form the user via the user interface

selection device, the selection request specifying the acceptance or rejection of the

displayed metadata. It would have been obvious to one of ordinary skill in the art at the

time the invention was made to have modified Berkun to have created the claimed

invention. It would have been obvious and desirable to have modified Berkun to have

displayed the received metadata and have accepted a user selection request specifying

the acceptance or rejection of the displayed metadata in view of the way search engines

at the time of the invention provide content to users.

At the time of the invention, a search engine provides a rank ordered list of hits

and prompts the user to review the list and make the final selection of content. In

similar fashion, instead of automatically deciding to include or exclude metadata based

on a threshold, Berkun would have been modified to have prompted users to have

reviewed metadata near the threshold so that the final decision on the inclusion or

exclusion of the metadata enhancement would have been provided by the user.

Berkun does not expressly disclose *receiving metadata automatically matched to*

the rendered media content from a metadata provider in response to the media content

being rendered in the media player.

However, Barker teaches receiving metadata automatically matched to the

rendered media content from a metadata provider in response to the media content

being rendered in the media player (0036-0037; 50 & 60 Fig. 1; Barker teaches a

receiver at the endpoint can receive the asset bundle *(media content)* from the asset

provider and can route it to an asset manager.).

Therefore at the time of the invention it would have been obvious to a person of

ordinary skill in the art to combine Berkun with Barker for the benefit of implementing

updated metadata efficiently at specific endpoints, as specified by the content provider

(0007).

Regarding dependent claim 34, Berkun teaches in using a trustworthiness

rating to determine the relevance of metadata in fig. 3, 7, 10, 11, paragraphs [0046]-

[0048] and [0070]-[0072]. In Berkun, a threshold is used to determine the appropriate

action depending on the trustworthiness of the metadata.

Berkun does not specifically teach wherein the selection request specifies

rejection of the received metadata, and wherein the selection request further comprises

a request from the user to edit the received metadata. It would have been obvious to

one of ordinary skill in the art at the time the invention was made to have modified

Berkun to have created the claimed invention.

However, it would have been obvious and desirable to have modified Berkun to

have displayed the received metadata and have accepted a user selection request

specifying the acceptance or rejection of the displayed metadata and allowed the user

to edit the metadata upon rejection in view of the way search engines at the time of the

invention provide content to users.

At the time of the invention, a search engine provides a rank ordered list of hits

and prompts the user to review the list and make the final selection of content. In

similar fashion, instead of automatically deciding to include or exclude metadata based

on a threshold, Berkun would have been modified to have prompted users to have

reviewed metadata near the threshold so that the final decision on the inclusion or

exclusion of the metadata enhancement would have been provided by the user.

Regarding dependent claim 36, Berkun teaches in using a trustworthiness

rating to determine the relevance of metadata in fig. 3, 7, 10, 11, paragraphs [0046]-

[0048] and [0070]-[0072]. In Berkun, a threshold is used to determine the appropriate

action depending on the trustworthiness of the metadata.

Berkun does not specifically teach wherein the selection request specifies

rejection of the received metadata, and wherein the selection request further comprises

a request from the user to discard the received metadata.

However, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to have modified Berkun to have created the claimed invention.

It would have been obvious and desirable to have modified Berkun to have displayed

the received metadata and have accepted a user selection request specifying the

acceptance or rejection of the displayed metadata and allowed the user to discard the

metadata upon rejection in view of the way search engines at the time of the invention

provide content to users.

At the time of the invention, a search engine provides a rank ordered list of hits

and prompts the user to review the list and make the final selection of content. In

similar fashion, instead of automatically deciding to include or exclude metadata based

on a threshold, Berkun would have been modified to have prompted users to have

reviewed metadata near the threshold so that the final decision on the inclusion or

exclusion of the metadata enhancement would have been provided by the user.

Regarding dependent claim 37, Berkun teaches in using a trustworthiness

rating to determine the relevance of metadata in fig. 3, 7, 10, 11, paragraphs [0046]-

[0048] and [0070]-[0072]. In Berkun, a threshold is used to determine the appropriate

action depending on the trustworthiness of the metadata.

Berkun does not specifically teach wherein the selection request specifies

rejection of the received metadata, and wherein the selection request further comprises

a request from the user to search for additional metadata for the media content.

However, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to have modified Berkun to have created the claimed invention.

It would have been obvious and desirable to have modified Berkun to have displayed

the received metadata and have accepted a user selection request specifying the

acceptance or rejection of the displayed metadata and allowed the user to search for

additional metadata for the media content upon rejection in view of the way search

engines at the time of the invention provide content to users.

At the time of the invention, a search engine provides a rank ordered list of hits

and prompts the user to review the list and make the final selection of content. In

similar fashion, instead of automatically deciding to include or exclude metadata based

on a threshold, Berkun would have been modified to have prompted users to have

reviewed metadata near the threshold so that the final decision on the inclusion or

exclusion of the metadata enhancement would have been provided by the user.

Regarding dependent claim 38, Berkun teaches in using a trustworthiness rating to determine the relevance of metadata in fig. 3, 7, 10, 11, paragraphs [0046]-[0048] and [0070]-[0072]. In Berkun, a threshold is used to determine the appropriate action depending on the trustworthiness of the metadata.

Berkun does not specifically teach wherein the selection request specifies acceptance of the received metadata, and wherein the selection request further comprises a request from the user to apply the received metadata by storing the received metadata with the media content.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Berkun to have created the claimed invention. It would have been obvious and desirable to have modified Berkun to have displayed the received metadata and have accepted a user selection request specifying the acceptance or rejection of the displayed metadata and allowed the user to apply the received metadata by storing the received metadata with the media content upon acceptance in view of the way search engines at the time of the invention provide content to users.

At the time of the invention, a search engine provides a rank ordered list of hits and prompts the user to review the list and make the final selection of content. In similar fashion, instead of automatically deciding to include or exclude metadata based on a threshold, Berkun would have been modified to have prompted users to have reviewed metadata near the threshold so that the final decision on the inclusion or exclusion of the metadata enhancement would have been provided by the user.

Regarding dependent claim 39, Berkun teaches storing the received metadata in a cache in paragraph [0036].

Regarding dependent claim 40, Berkun teaches in using a trustworthiness rating to determine the relevance of metadata in fig. 3, 7, 10, 11, paragraphs [0046]-[0048] and [0070]-[0072]. In Berkun, a threshold is used to determine the appropriate action depending on the trustworthiness of the metadata.

Berkun does not specifically teach displaying the received trustworthiness rating to the user on a display. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Berkun to have created the claimed invention.

However, it would have been obvious and desirable to have modified Berkun to have displayed the received trustworthiness rating to the user on a display in view of the way search engines at the time of the invention provide content to users.

At the time of the invention, a search engine provides a rank ordered list of hits and prompts the user to review the list and make the final selection of content. In similar fashion, instead of automatically deciding to include or exclude metadata based on a threshold, Berkun would have been modified to have prompted users to have reviewed metadata near the threshold so that the final decision on the inclusion or exclusion of the metadata enhancement would have been provided by the user.

Regarding dependent claim 41, Berkun teaches receiving one or more

reconciliation rules from a user, the reconciliation rules specifying an action to perform

in response to the received trustworthiness rating in fig. 3, 7, 10, paragraphs [0046]-

[0048] and [0070]-[0072]. In Berkun, a threshold is defined and the metadata addition is

determined based on the threshold.

Berkun does not specifically teach displaying the one or more reconciliation rules

for selection by a user.

However, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to have modified Berkun to have created the claimed invention.

It would have been obvious and desirable to have modified Berkun to have displayed

the one or more reconciliation rules for selection by a user in view of the way search

engines at the time of the invention provide content to users.

At the time of the invention, a search engine provides a rank ordered list of hits

and prompts the user to review the list and make the final selection of content. In

similar fashion, instead of automatically deciding to include or exclude metadata based

on a threshold, Berkun would have been modified to have prompted users to have

reviewed metadata near the threshold so that the final decision on the inclusion or

exclusion of the metadata enhancement would have been provided by the user.

Regarding independent claim 43, Berkun discloses one or more data fields,

each of the data fields displaying a metadata value associated with the metadata item in

fig. 3, 11, and paragraphs [0073]-[0075]. Berkun discloses a selection field for receiving

a command from a user, the command selecting one or more of the metadata values

form the data fields for association with the metadata item and storage with the media

content in fig. 3, 11, and paragraphs [0073]-[0075]. Berkun discloses a query field for

receiving a search term from the user, the search term describing the media content

and enabling determination of another metadata value relevant to the media item based

on the received search term in fig. 3, 11, and paragraphs [0076] and [0077].

Regarding dependent claim 44, Berkun discloses wherein at least one of the

metadata values in the plurality of data fields is selected automatically based on a

trustworthiness rating associated with the at least one metadata value in fig. 3, 7, 10,

paragraphs [0046]-[0048] and [0070]-[0072].

Regarding dependent claim 45, Berkun teaches in using a trustworthiness

rating to determine the relevance of metadata in fig. 3, 7, 10, 11, paragraphs [0046]-

[0048] and [0070]-[0072]. In Berkun, a threshold is used to determine the appropriate

action depending on the trustworthiness of the metadata.

Berkun does not specifically teach wherein the selection field comprises a

plurality of checkboxes, each of the checkboxes being associated with one of the

plurality of data fields.

However, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to have modified Berkun to have created the claimed invention.

It would have been obvious and desirable to have modified Berkun to have used

checkboxes to have selected the data fields displaying metadata values in view of the way search engines at the time of the invention provide content to users.

At the time of the invention, a search engine provides a rank ordered list of hits and prompts the user to review the list and make the final selection of content. In similar fashion, instead of automatically deciding to include or exclude metadata based on a threshold, Berkun would have been modified to have prompted users to have reviewed metadata near the threshold so that the final decision on the inclusion or exclusion of the metadata enhancement would have been provided by the user.

Regarding dependent claim 46, Berkun teaches in using a trustworthiness rating to determine the relevance of metadata in fig. 3, 7, 10, 11, paragraphs [0046]-[0048] and [0070]-[0072]. In Berkun, a threshold is used to determine the appropriate action depending on the trustworthiness of the metadata.

Berkun does not specifically teach wherein the selection field comprises a button that indicates acceptance of the selected metadata value.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Berkun to have created the claimed invention. It would have been obvious and desirable to have modified Berkun to have used a button that indicated the acceptance of a selected metadata value in view of the way search engines at the time of the invention provide content to users.

At the time of the invention, a search engine provides a rank ordered list of hits and prompts the user to review the list and make the final selection of content. In

similar fashion, instead of automatically deciding to include or exclude metadata based on a threshold, Berkun would have been modified to have prompted users to have reviewed metadata near the threshold so that the final decision on the inclusion or exclusion of the metadata enhancement would have been provided by the user.

Regarding dependent claim 47, Berkun discloses wherein the metadata item comprises at least one of an album title, an artist name, a song title, a genre, a composer name, a track number, a studio, a director, and a rating in paragraph [0025].

Regarding dependent claim 48, Berkun teaches in using a trustworthiness rating to determine the relevance of metadata in fig. 3, 7, 10, 11, paragraphs [0046]-[0048] and [0070]-[0072]. In Berkun, a threshold is used to determine the appropriate action depending on the trustworthiness of the metadata.

Berkun does not specifically teach displaying a trustworthiness rating associated with the metadata value for each of the data fields.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Berkun to have created the claimed invention. It would have been obvious and desirable to have modified Berkun to have displayed a trustworthiness rating associated with the metadata value for each of the data fields in view of the way search engines at the time of the invention provide content to users.

At the time of the invention, a search engine provides a rank ordered list of hits and prompts the user to review the list and make the final selection of content. In

similar fashion, instead of automatically deciding to include or exclude metadata based on a threshold, Berkun would have been modified to have prompted users to have reviewed metadata near the threshold so that the final decision on the inclusion or exclusion of the metadata enhancement would have been provided by the user.

Regarding dependent claim 49, Berkun teaches a reconciliation field for displaying one or more reconciliation rules for selection by a user, each of the reconciliation rules specifying an action to perform in response to the trustworthiness rating in fig. 3, 7, 10, paragraphs [0046]-[0048] and [0070]-[0072]. In Berkun, a threshold is defined and the metadata addition is determined based on the threshold.

Regarding dependent claim 50, Berkun discloses a display device in paragraph [0028].

Note

6.   It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the reference should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See, MPEP 2123.

7.   **Claims 20-22, 30-32, and 35 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over Berkun, in view of Barker, and further in view of Senator et al.

(US 5,761,677 patented 6/2/1998) (hereinafter "Senator").

        Regarding dependent claim 20, Berkun, in view of Barker, does not teach

maintaining a history data structure in the file, the history data structure storing the other

metadata state. Senator does teach a history data structure in a file, the history data

structure storing an other metadata state in fig. 1A, 1C, col. 3 lines 35-51, and col. 3 line

64 – col. 4 line 6.

    It would have been obvious to one of ordinary skill in the art at the time the

invention was made to have combined the teachings of Berkun, in view of Barker, and

Senator to have created the claimed invention. It would have been obvious and

desirable to have used the history data structure of Senator to have improved the

metadata storage of Berkun, in view of Barker, so that the user could have rolled back

to a previous metadata state as is taught by use of the rollback module in Senator in fig.

1A, 1C, col. 3 lines 35-51, and col. 3 line 64 – col. 4 line 6.

        Regarding dependent claim 21, Berkun, in view of Barker, does not teach

replacing each set of metadata items associated with the one metadata state with a

corresponding set of metadata items stored in the history data structure. Senator does

teach replacing each set of metadata items associated with the one metadata state with

a corresponding set of metadata items stored in the history data structure in fig. 1A, 1C,

col. 3 lines 35-51, and col. 3 line 64 – col. 4 line 6.

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to have combined the teachings of Berkun, in view of Barker, and

Senator to have created the claimed invention. It would have been obvious and

desirable to have used the history data structure of Senator to have improved the

metadata storage of Berkun, in view of Barker, so that the user could have rolled back

to a previous metadata state as is taught by use of the rollback module in Senator in fig.

1A, 1C, col. 3 lines 35-51, and col. 3 line 64 – col. 4 line 6.

Regarding dependent claim 22, Berkun, in view of Barker, does not teach

wherein the history data structure defines an empty metadata state for the media

content and wherein replacing each set of metadata items comprises replacing each set

of metadata items associated with the one metadata state with a null value from the

empty metadata state.

However, Senator does teach wherein the history data structure defines an

empty metadata state for a file and wherein replacing each set of metadata items

comprises replacing each set of metadata items associated with the one metadata state

with a null value from the empty metadata state in fig. 1A, 1C, col. 3 lines 35-51, and

col. 3 line 64 – col. 4 line 6.

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to have combined the teachings of Berkun, in view of Barker, and

Senator to have created the claimed invention. It would have been obvious and

desirable to have used the history data structure of Senator to have improved the

metadata storage of Berkun, in view of Barker, so that the user could have rolled back

to a previous metadata state as is taught by use of the rollback module in Senator in fig.

1A, 1C, col. 3 lines 35-51, and col. 3 line 64 – col. 4 line 6.

Regarding dependent claim 30, Berkun, in view of Barker, does not teach a

rollback module for maintaining a history data structure in the file, the history data

structure storing the received metadata along with a previous metadata state associated

with the media content.

However, Senator does teach a rollback module for maintaining a history data

structure in a file, the history data structure storing the received metadata along with a

previous metadata state associated with the file in fig. 1A, 1C, col. 3 lines 35-51, and

col. 3 line 64 – col. 4 line 6.

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to have combined the teachings of Berkun, in view of Barker, and

Senator to have created the claimed invention. It would have been obvious and

desirable to have used the history data structure of Senator to have improved the

metadata storage of Berkun, in view of Barker, so that the user could have rolled back

to a previous metadata state as is taught by use of the rollback module in Senator in fig.

1A, 1C, col. 3 lines 35-51, and col. 3 line 64 – col. 4 line 6.

Regarding dependent claim 31, Berkun, in view of Barker, does not teach wherein the authoring module replaces each item of metadata associated with one metadata state with a corresponding item of metadata from another metadata state maintained in the history data structure by the rollback module.

However, Senator does teach wherein an authoring module replaces each item of metadata associated with one metadata state with a corresponding item of metadata from another metadata state maintained in the history data structure by the rollback module in fig. 1A, 1C, col. 3 lines 35-51, and col. 3 line 64 – col. 4 line 6.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teachings of Berkun, in view of Barker, and Senator to have created the claimed invention. It would have been obvious and desirable to have used the history data structure of Senator to have improved the metadata storage of Berkun, in view of Barker, so that the user could have rolled back to a previous metadata state as is taught by use of the rollback module in Senator in fig. 1A, 1C, col. 3 lines 35-51, and col. 3 line 64 – col. 4 line 6.

Regarding dependent claim 32, Berkun, in view of Barker, does not teach wherein the history data structure defines an empty metadata state for the media content and wherein the authoring module replaces each item of metadata associated with the one metadata state with a null value from the empty metadata state.

However, Senator does teach wherein the history data structure defines an empty metadata state for a file and wherein the authoring module replaces each item of

metadata associated with the one metadata state with a null value from the empty

metadata state in fig. 1A, 1C, col. 3 lines 35-51, and col. 3 line 64 – col. 4 line 6.

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to have combined the teachings of Berkun, in view of Barker, and

Senator to have created the claimed invention. It would have been obvious and

desirable to have used the history data structure of Senator to have improved the

metadata storage of Berkun, in view of Barker, so that the user could have rolled back

to a previous metadata state as is taught by use of the rollback module in Senator in fig.

1A, 1C, col. 3 lines 35-51, and col. 3 line 64 – col. 4 line 6.

Regarding dependent claim 35, Berkun, in view of Barker, does not teach a

request from the user to restore previously received metadata.

However, Senator does teach a request by a user to restore previously received

metadata in fig. 1A, 1C, col. 3 lines 35-51, and col. 3 line 64 – col. 4 line 6.

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to have combined the teachings of Berkun, in view of Barker, and

Senator to have created the claimed invention. It would have been obvious and

desirable to have used the history data structure of Senator to have improved the

metadata storage of Berkun, in view of Barker, so that the user could have rolled back

to a previous metadata state as is taught by use of the rollback module in Senator in fig.

1A, 1C, col. 3 lines 35-51, and col. 3 line 64 – col. 4 line 6.

8.   It is noted that any citations to specific, pages, columns, lines, or figures in the

prior art references and any interpretation of the reference should not be considered to

be limiting in any way. A reference is relevant for all it contains and may be relied upon

for all that it would have reasonably suggested to one having ordinary skill in the art.

See, MPEP 2123.

Response to Arguments

9.   Applicant's arguments, see Remarks, filed 03 Aug 2006, have been fully

considered and are persuasive. Therefore, the rejection has been withdrawn.

However, upon further consideration, a new ground(s) of rejection is made in view of

Barker.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James J. Debrow whose telephone number is 571-272-5768. The examiner can normally be reached on 8:00-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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